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09/954,724	09/12/2001	Sondre Skatter	507-000600US	8836

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02/24/2006

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EXAMINER
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TANG, KAREN C

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/954,724

Applicant(s)

SKATTER ET AL.

Examiner

Karen C. Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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- This action is responsive to the amendment and remarks file on 10/04/05.
- Claims 1-23 are amended and are ready for further examination.
- Withdrawn Previous Filed Abandonment on 10/24/05

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Battat et al hereinafter Battat (US 2003/0033402).

1. Referring to Claims 1 and 12, Battat disclosed a method of presenting data over a network comprising:

providing a persistent graphical object representing a rotating globe that depicts a plurality of geographical points and a plurality of geographical regions representative of geographical location of a physical world (refer to 0191, 0201-0204);

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extracting a plurality of content elements from at least one data files at least one of the content elements conveying information related to at least one geographical location of the physical world (refer to 0196-0203);

superimposing the at least one content element on the graphical object at the geographical point or geographical region that is representative of the geographical location of the physical world to which the content element relates (refer to 0203-0206); presenting said graphical object in a composition accessed by an initial application, said object having state and having one or more possible external connections (refer to 0220-0227);

allowing a user to indicate relocation of said graphical object to a location outside of said initial application (refer to 0172); and

thereafter moving said graphical object to said outside location, preserving state of said graphical object (refer to 0172).

2. Referring to Claim 2, Battat disclosed wherein said graphical object, once relocated, will persist and maintain state after termination of said initial application (user define the information by drag/drop operation in the configuration subsystem, indicate the moved element is being set within the configuration, refer to 0172, and 0268).

3. Referring to Claim 3, Battat disclosed wherein said initial application location is selected from the group consisting of:

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a web browser and said composition is a web page, or a desktop provided by an operating system (refer to 0095).

4. Referring to Claim 5, Battat disclosed wherein said relocation may be repeated from a current location to any number of additional platforms (refer to Unix OS, and As/400s, 0014).

5. Referring to Claim 6, Battat disclosed wherein said desktop provided by an operating system is an interface of a platform, said platform selected from the group consisting of: a windows PC, a Macintosh PC, a Unix-type operating system, a set-top box, a wireless logic appliance, an internet appliance, a personal digital assistant, or another device connected to a network (refer to 0215).

6. Referring to Claim 7, Battat disclosed wherein said new location is selected from the group consisting of: a desktop provided by an operating system, an application from the initial application and a different computer platform with a different operating system (refer to 0014).

7. Referring to Claim 8, Battat disclosed wherein said graphical object comprises: one or more user interface components and wherein said components are preserved after a relocation; and

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one or more connections to one or more external entities and wherein said connections are preserved after a relocation (refer to 0239).

8. Referring to Claim 9, Battat disclosed wherein said allowing a user to indicate relocation comprises selecting and dragging a graphical object (refer to 0172).

9. Referring to Claim 10, Battat disclosed wherein said allowing a user to indicate relocation comprises discontinuously selecting a graphical object and placing said object in a new location (refer to 0172).

10. Referring to Claim 11, Battat disclosed wherein said one or more external entities are selected from the group consisting of: web servers, other applications, background processes, and other remote processes (refer to 0215).

11. Referring to Claim 13, Battat disclosed wherein said representation of a globe can be accessed through a web browser as embedded in a web page and can reside on an operating system desktop or can be executed as a stand-alone application in a window and wherein the same functionality is provided in any location (refer to 0038).

12. Referring to Claim 14, Battat disclosed wherein web content is rendered on the globe as channels, wherein a channel is a set of related content from a content

providers or a broker of web content, and wherein content items in a channel have some geographical distribution (refer to 0042).

13 Referring to Claim 15, Battat disclosed wherein content items can be associated with points on said representation of a globe or regions on said representation of a globe (refer to 0141).

14. Referring to Claim 16, Battat disclosed wherein when a cursor is moved over a content item a textual window will pop up that reveal details about a content item (refer to 0118).

15. Referring to Claim 17, Battat disclosed wherein active content items can having actions associated with them that are triggered when a user selects a content item (refer to 0145).

16. Referring to Claim 19, Battat disclosed, wherein channels are defined using XML format and, describe content at least in terms of geographic position, click-action, and parameters for a click action (refer to 0172, 0262).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Battat et al hereinafter Battat (US 2003/0033402) in view of Kelts (US 2001/0030667).

1. Referring to Claim 18, Battat disclosed wherein said actions are one or more selected from the group consisting of:

bringing content to the globe with a parameter the web address of content (refer to Fig 10C);

Battat did not expressly disclose initiation of communication to another globevoii user through email chat, or sending an instant message; and submitting an HTTP post that initiates or completes a web service associated with a channel provider, so as to book a flight with a travel agency and with the parameters being an IP address and post data.

Kelts disclosed initiation of communication to another globevoii user through email chat, or sending an instant message (refer to 0048 and 0064 and 0124);

submitting an HTTP post that initiates or completes a web service associated with a channel provider, so as to book a flight with a travel agency and with the parameters being an IP address and post data (refer to Fig 7).

At the time of the invention, it would have been obvious of ordinary skill in the art to indicate a web browser with URL link as a parameter and the communication allows email chats into Battat's invention.



The suggestion/motivation would have been that the system can support different navigation map layouts associated with different end users and/or different presentation layers.

2. Referring to Claim 21, Battat did not disclose wherein channels are licensed to channel providers on a pay per channel; pay per end user, or a pay per user action basis.

Kelts disclosed wherein channels are licensed to channel providers on a pay per channel; pay per end user, or a pay per user action basis (refer to 0089, 0279 and 0351).

At the time of the invention, it would have been obvious to incorporate user has to pay per channel in the system within Battat.

The suggestion/motivation would have been that by doing so allow the system to track the usage by user and amount of user within the system so the system will not overflow.

3. Referring to Claim 22, Battat disclosed wherein a texture map rendered on said representation of a Globe is part of a separate 2D rendering system said 2D rendering system (refer to 0132)

Battat did not disclose comprising a local display managing system for managing repainting damages.

Kelts disclosed a local display managing system for managing repainting damages (refer to 0113-0118).

At the time of the invention, it would have been obvious to repaint damages within the 2D rendering system.

The suggestion/motivation would have been that it allow a service provider or an end user to remotely edit functionalities as well while have chance to repair the damage within the system.

4. Referring to Claim 20, Battat disclosed wherein channels may have reference to Envooi sub-compositions to be added dynamically to a GlobeVoii application so as to provide a unique interface and behavior for a given channel (refer to 0015-0019).

Battat did not indicate wherein these references are used to retrieve the Envooi sub compositions from a web server.

Kelts disclosed the reference were retrieve from the web server (refer to Fog 26).

At the time of the invention, it would have been obvious to indicate the information are retrieve from the web server.

The suggestion/motivation would have been that by indicate the information are coming from the web server, it provides broader limitation for resources and user can utilized the resource to perform the tasks.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Battat et al hereinafter Battat (US 2003/0033402) in view of Lai et al hereinafter Lai (US 2003/0016247)

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1. Referring to Claim 4, Battat disclosed wherein at least some of said content elements convey at least one of the following types of information:

one or more links indicating new stories related to a particular location displayed on said globe (refer to 0118).

Battat did not disclose one or more images indicating weather in various locations; and

Lai disclosed one or more images indicating weather in various locations (refer to 0041).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to indicate the map shows the weather.

The suggestion/motivation for doing so would have been that Battat indicate the map of the world and demonstrate the detail of the region shows information related to the region, and by incorporate weather information within the system can provide user further information about the region.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Battat et al hereinafter Battat (US 2003/0033402) in view of Official Notice.

1. Referring to Claim 23, Battat disclosed wherein a representation of a globe displays real time daylight illumination of the Earth using 3D shading (refer to 0157)

Battat did not expressly disclose the lighting source being the correct relative position of the sun to the Earth.

Official Notice is taken that by incorporate the lighting source within the 3D shading, the Limitation narrowed by these claims are matter of design choice.

***Response to Arguments***

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang

  
**ZARNI MAUNG**  
**SUPERVISORY PATENT EXAMINER**